

MINUTES
COMMITTEE ON LAW & LICENSING

October 9, 2012 - 2:00 p.m.
Common Council Chambers, City Hall

Members Present: Chairperson Ald. Jodi VanderWeele, Vice Chairperson Ald. Kevin Matichek, Ald. Julie Kath, Ald. Susan Lessard, Ald. Scott Lewandoske
Others in Attendance: Assistant City Attorney Charles C. Adams, Lt. Douglas Teunissen, Licensing Clerk Cinda Langhoff, Ald. Joseph Heidemann, Tina H. Mann, Majestica L. Lorenz, Lori M. Barnes, Jennifer L. Van Engen, Regina R. Ramirez, Joseph E. Jantz, Christos Balassi, Robert Phippen, Bill Skirvin, Jim Klabecek

Chairperson VanderWeele called the meeting to order at 2:01 p.m.

The Pledge of Allegiance was recited.

Introduction of committee members, staff and guests.

A motion to approve the minutes of the previous meeting held September 25, 2012 was made by Ald. Matichek and seconded by Ald. Lessard. **All ayes; motion approved.**

R.C. No. 202-12-13 (10-1-12) – Bev. Op. Lic. App. No. 9671 (Tina H. Mann)

Tina H. Mann appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Lessard moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

R.O. No. 117-12-13 (8-20-12) – Various License Applications: Bev. Op. Lic. App. No. 9680 (Majestica L. Lorenz)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Majestica L. Lorenz appeared before the committee to discuss her application. After discussion of her record and her failure to include violations on her application, Ald. Matichek moved, seconded by Ald. Lewandoske, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **Three ayes and two nays (Ald. Kath and Ald. VanderWeele); motion approved.**

R.O. No. 132-12-13 (9-4-12) – Various License Applications: Bev. Op. Lic. App. No. 8997 (Lori M. Barnes); Taxicab Op. Lic. App. No. 9687 (Roxella Cassandra Trevino)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Lori M. Barnes appeared before the committee to discuss her application. After discussion of her record, Ald. Kath moved, seconded by Ald. Lewandoske, to grant the license. **All ayes; motion approved.**

Roxella Cassandra Trevino failed to appear before the committee. Ald. Lessard moved, seconded by Ald. Matichek, to request via certified mailing Ms. Trevino's appearance before the committee at its October 23rd meeting. **All ayes; motion approved.**

R.O. No. 141-12-13 (9-17-12) – Various License Applications: Bev. Op. Lic. App. Nos. 8948 (Sunday L. Boettcher), 5996 (Jennifer L. Van Engen); Taxicab Op. Lic. App. Nos. 9717 (Reyna M. Flores), 9719 (Marcus A. Newton), 9049 (Justin E. Quade), 9491 (Regina R. Ramirez), 9707 (Paul M. Thill)

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Sunday L. Boettcher failed to appear, but had contacted the City Attorney's Office to indicate that she was unable to appear. Ms. Boettcher was instructed to appear at the October 23rd meeting. Ald. Matichek moved, seconded by Ald. Lessard, to hold the application until the October 23rd meeting and to call in Ms. Boettcher by regular mail. **All ayes; motion approved.**

Jennifer L. Van Engen appeared before the committee to discuss her application. After discussion of her record and her failure to include a violation on her application, Ald. Lessard moved, seconded by Ald. Matichek, to grant the license contingent upon the application being corrected, and with a warning to include all relevant information on future applications. **All ayes; motion approved.**

Reyna M. Flores failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Ms. Flores' appearance before the committee at its October 23rd meeting. **All ayes; motion approved.**

Marcus A. Newton failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Newton's appearance before the committee at its October 23rd meeting. **All ayes; motion approved.**

Justin E. Quade failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Quade's appearance before the committee at its October 23rd meeting. **All ayes; motion approved.**

Regina R. Ramirez appeared before the committee to discuss her application. After discussion of her record, Ald. Matichek moved, seconded by Ald. Kath, to deny the license application based upon Ms. Ramirez's record of violations related to the licensed activity. **All ayes; motion approved.**

Paul M. Thill failed to appear before the committee. Ald. Matichek moved, seconded by Ald. Lessard, to request via certified mailing Mr. Thill's appearance before the committee at its October 23rd meeting. **All ayes; motion approved.**

Motion to rescind the motion made on August 28, 2012 by Ald. Lewandoske, seconded by Ald. Matichek, to request that Mr. Jantz [Cigarette/Tobacco Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)] voluntarily surrender the tobacco license for a period of ten (10) consecutive business days within 14 days. (The vote on that motion was three ayes and one nay (Ald. Lessard), with Ald. Kath excused from the meeting)

Ald. VanderWeele moved to rescind the motion made on August 28, 2012. **Motion died for lack of a second.**

Discussion and possible action regarding Alc. Bev. Lic. No. 1406-Tidy Car of Sheboygan (Joseph E. Jantz, Agent)

The committee is not comfortable proceeding with the quasi-judicial hearing without counsel. Ald. VanderWeele moved, seconded by Ald. Matichek, to submit another document to the Common Council requesting that the City Attorney be authorized to engage the services of outside legal counsel. **Four ayes and one nay (Ald. Lessard); motion approved.**

Presentations by potential applicants for available “Class B” alcohol beverage licenses

No potential applicants were present at the meeting.

Discussion and action regarding granting opportunity to apply for available “Class B” alcohol beverage licenses

No discussion took place as there were no presentations at the meeting.

Gen. Ord. No. 23-12-13 (9-17-12)

An ordinance amending Section 130-59 of the City of Sheboygan Municipal Code so as to create additional regulations related to taxicabs in the city.

Several taxicab businesses were present to discuss the proposed additional regulations and the current law. ACA Adams indicated that inspection of meters would be done by the State and stated that the building inspection office would have contact information for the State. Other items discussed included the Saferide program taxi fee of \$6, zoning regulations for businesses, enforcement of the ordinance by the police department, and removing personal address information from the taxicab driver’s license which will be on display in the taxi. Ald. VanderWeele moved, seconded by Ald. Matichek, to hold this matter until the next meeting. **All ayes; motion approved.**

R.O. No. 151-12-13 (10-1-12) – Various License Applications

Submitting various license applications for the period ending June 30, 2013 and June 30, 2014.

Ald. Kath moved, seconded by Ald. Lessard, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9746 (Jason A. Gahagan). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to call in Bev. Op. Lic. App. No. 9735 (Samantha J. Cleveland) to discuss her application with the committee. **Three ayes and two nays (Ald. Lessard and Ald. VanderWeele); motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to call in Bev. Op. Lic. App. No. 9747 (Louicia A. Fanslau) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Bev. Op. Lic. App. No. 4074 (Jesse F. Krueger) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant a license with a warning, contingent upon the application being corrected, to Bev. Op. Lic. App. No. 9725 (Lisha A. Montanez). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to grant a license to Bev. Op. Lic. App. No. 9738 (Casey Lee Smith) with instructions to correct the application. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9744 (Andrea S. Mullens) to discuss her application with the committee. **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 7390 (Salvador Olivas) to discuss his application with the committee. **Three ayes and two nays (Ald. Kath and Ald. VanderWeele); motion approved.**

Ald. Matichek moved, seconded by Ald. Lewandoske, to grant a license with a warning, contingent upon the application being corrected, to Taxicab Op. Lic. App. No. 3968 (Paulette J. Ramey). **All ayes; motion approved.**

Ald. Matichek moved, seconded by Ald. Kath, to grant a license to Taxicab Op. Lic. App. No. 9745 (Ashlee Ann Nicole Rodriguez). **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Lessard, to call in Taxicab Op. Lic. App. No. 9733 (Johnathan P. Schuld) to discuss his application with the committee. **All ayes; motion approved.**

Ald. Kath moved, seconded by Ald. Matichek, to grant the remainder of the license applications for individuals and entities listed on the above-referenced R.O. **All ayes; motion approved.**

Discussion and possible action regarding law violations that may require future action by the Committee

After hearing a brief report from Lt. Teunissen regarding five businesses that failed Operation Absolutely 21 & Over compliance checks on October 4, 2012 (a total of 19 compliance checks were conducted with five failures resulting in a 26% failure rate), Ald. Lessard made a motion, seconded by Ald. Matichek, to call in the following license holders to discuss the matter with the committee:

- Alc. Bev. Lic. No. 2740—Mannings Irish Pub I (Michael E. Vidimos, Agent)
- Bev. Op. Lic. No. 8345 (Kristen E. Abstetar)
- Alc. Bev. Lic. No. 1267—Poor Richards (Richard C. Lambrecht, Agent)
- Alc. Bev. Lic. No. 1083—Vibez (Hamilton W. Watt, Agent)
- Bev. Op. Lic. No. 9756 (Britney L. Henry)
- Alc. Bev. Lic. No. 1199—Lakeshore Lanes (William J. Hilbert, Agent)
- Bev. Op. Lic. No. 4465 (Robert L. Petermann)
- Alc. Bev. Lic. No. 2502—Nine 21 Bar & Grill LLC (Anthony P. Bray, Agent)

All ayes; motion approved.

Ald. Lessard made a motion to adjourn. Ald. Matichek seconded the motion. **All ayes; motion approved.**

There being no further business to come before the committee, the meeting was adjourned at 3:23 p.m.

The next committee meeting is scheduled to be held on Tuesday, October 23, 2012 at 2:00 p.m. in the Common Council Chambers located at City Hall, 828 Center Avenue.